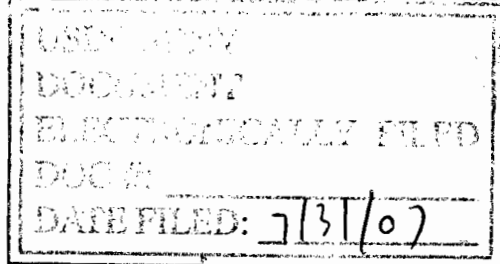


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**BY HAND DELIVERY**

July 24, 2007

Honorable Alvin K. Hellerstein  
United States District Judge  
Southern District of New York  
United States Courthouse  
500 Pearl Street  
New York, NY 10007

Re: The Ridgefield Foundation, Inc. v. Marcelo Leipziger --  
Docket No. 07 CV 5965 (AKH) (DFE)

*Cong is adjourned &  
Sep 24, 2007, at  
9:30 a.m. 7-30-07  
Alvin K. Hellerstein*

Dear Judge Hellerstein:

We are the attorneys for plaintiff The Ridgefield Foundation, Inc. This letter has been reviewed, commented on, and approved by Austin T. Wilkie, Esquire of the firm of Holland & Knight LLP, which will represent defendant Marcelo Leipziger.

I have received the Notice of Court Conference in this case, together with the accompanying materials, and have had copies of them hand-delivered to Mr. Wilkie. As also directed at the foot of the Notice, enclosed is a courtesy copy of the Complaint in this action.

**Request for Adjournment of Conference:** The conference is presently scheduled for August 10, 2007, at 9:45 a.m. I request an adjournment to any of the following dates, on which counsel for both parties are available: September 5, 6, 10, 11 or 14. There have been no previous requests for adjournment. As noted above, Mr. Wilkie has reviewed this letter, and he consents to the adjournment. There are no other previously-scheduled dates in this action. The reasons for the requested adjournment are that (i) I will be out of the country from July 26 through August 10, returning to the office on August 13; (ii) counsel for the parties will need time after my return to confer and provide a written report to the Court prior to the conference, as required by the Notice of Conference; (iii) following my return, counsel for the parties also intend to discuss with our respective clients and with each other the possibility of settling this matter without further litigation; and (iv) as explained below, defendant Mr. Leipziger has extended time limits under Fed. R. Civ. P. 4 within which to submit a Waiver of Service of Summons and then to respond to the Complaint.

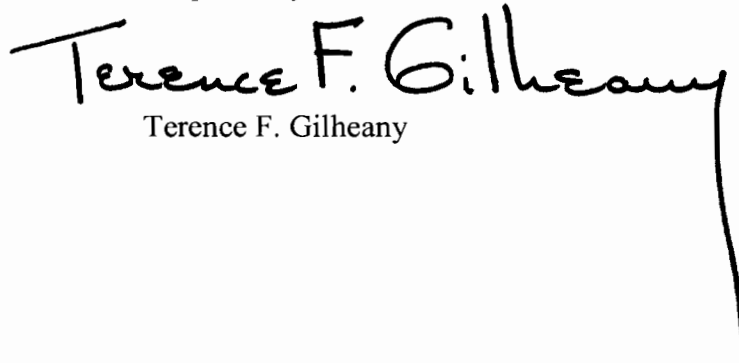
C A D W A L A D E R

Honorable Alvin K. Hellerstein  
July 24, 2007

**Waiver of Service of Summons; Time for Return of Same and for Response to Complaint:** Defendant Marcelo Leipziger is a citizen and resident of Switzerland. Mr. Wilkie has advised me that Mr. Leipziger will waive service of a Summons pursuant to Rule 4(d) of the Federal Rules of Civil Procedure. Accordingly, on July 13, 2007, I had hand-delivered to Mr. Wilkie a Notice of Lawsuit and Request for Waiver of Service of Summons and a Waiver of Service of Summons, both in the forms prescribed by Rule 4(d), for forwarding to Mr. Leipziger in Switzerland. Copies of the Notice and Request, and of the Waiver, are enclosed. Since these documents are being sent to Mr. Leipziger at an address outside of the United States, pursuant to Fed. R. Civ. P. 4(d)(2)(F) and (d)(3) he has 60 days from July 13, 2007, i.e., to and including Tuesday, September 11, 2007, to return the executed Waiver, and 90 days from July 13, 2007, i.e., to and including October 11, 2007, within which to answer or move with respect to the Complaint.

During my absence, any communication to this firm should be directed to my colleague William Schwartz, all of whose contact information is the same as mine except for his e-mail address (william.schwartz@cwt.com) and direct dial number (212-504-6399).

Respectfully,

  
Terence F. Gilheany

Enclosures

cc (by telecopier; w/o encs.):  
Austin T. Wilkie, Esq.  
Holland & Knight LLP  
195 Broadway  
New York, NY 10007  
Telephone: (212) 513-3200  
Telecopier: (212) 385-9010

cc: William Schwartz, Esq.